IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO: 12235 of 2004

Between:

Gudla Satyanarayana, S/o. Sarayya, Hindu,
Buvvanapalli V, Nidamanuru M, W.G. District.

... PETITIONER

AND

1 The District Collector, West Godavari, Eluru.
2 The District Panchayat Officer, West Godavari, Eluru.
3 The Village Secretary (Executive Officer) Buvvanapalli V, Nidamanuru M,

W.G. District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction, more particularly a Writ of mandamus, declaring the inaction on the part of the respondents as illegal and ultra vires to the provisions of Article 14 of the Constitution of India and also the mandatory provisions of the A.P. Panchayat Raj Act and the rules framed there under on the subject, directing the respondent Nos.1 and 2 to take appropriate decision for granting permission in pursuance of the resolution dated 14-05-2004 forwarded by the respondent No.3 as expeditiously as possible within in a time bound programme.

Counsel for the Petitioner: MR.JOSYULA BHASKARA RAO

Counsel for the Respondents: SMT.JYOTHI ESWAR GOGINENI

The Court made the following:

ORDER:

Petitioner is a member of the Buvvanapalli Gram Panchayat and a party to the resolution passed by the Gram Panchayat on 14-05-2004, in which it was resolved to file a revision in this Court against dismissal of I.A.No.1184 of 2003 filed for condoning the delay in preferring appeal by the Gram Panchayat against the judgment and decree passed against it in O.S.No.386 of 1996 on the file of the Court of the Principal Junior Civil Judge, Tadepalligudem.

2. On passing the said resolution, the said Gram Panchayat sought permission from the first and second respondents for enabling it to prefer revision against the said dismissal. But, so far, no permission as such is granted and if no revision is preferred against the said order, valuable rights of the Gram Panchayat will be affected under the judgment and decree passed. In view of the same, first and second respondents have to act promptly for granting permission sought by the Gram Panchayat in its resolution dated 14-05-2004.

3. In view of the same Respondents 1 and 2 are hereby directed to consider and pass appropriate orders on the resolution submitted and request made by the Buvvanapally Gram Panchayat, forthwith, if not already passed.

The Writ Petition is accordingly disposed of. No costs.

A. GOPAL REDDY, J

September 30, 2004

MRR